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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

US RIGHT TO KNOW,

Plaintiff,

v.

UNITED STATES DEFENSE
INTELLIGENCE AGENCY,

Defendant.

CASE NO. 23-cv-2936-TSH

**STIPULATION AND ~~PROPOSED~~ ORDER RE
CASE MANAGEMENT CONFERENCE AND
ASSOCIATED DEADLINES**

FILED

Oct 20 2023

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

STIPULATION AND ~~PROPOSED~~ ORDER RE CASE MANAGEMENT CONFERENCE AND ASSOCIATED
DEADLINES

NO. 23-CV-2936 TSH

1 Plaintiff, US Right to Know (“Plaintiff” or “USRTK”) and Defendant, the United States Defense
2 Intelligence Agency, submit this stipulation pursuant to Local Civil Rule 6-2 to continue the initial case
3 management conference and associated deadlines from October 26, 2023 to November 30, 2023 at 10:00
4 a.m.

5 **STIPULATION**

6 WHEREAS, Plaintiff, US Right to Know filed a Freedom of Information Act (“FOIA”) complaint
7 on June 14, 2023. ECF No. 1.

8 WHEREAS, the Defendant, United States Defense Intelligence Agency (“DIA” or “the Agency”),
9 provided a final response to Plaintiff’s FOIA request on August 22, 2023 and an amended final response
10 on August 23, 2023. On August 23, 2023, the Agency filed a response to the Complaint and a corrected
11 answer on August 24, 2023. ECF Nos. 23, 24.

12 WHEREAS, the parties are working together cooperatively in this case. On August 23, 2023,
13 Defendant provided Plaintiff with an amended response to Plaintiff’s FOIA request which included one
14 agency record responsive to the Request, and one agency record on which exemptions have been applied.
15 On August 31, 2023, the Court entered a Stipulation and Order extending the initial case management
16 conference and all associated deadlines from September 14, 2023 to October 26, 2023. ECF No. 25.

17 On September 5, 2023, Plaintiff requested that Defendant provide a short *Vaughn* Index for the
18 information withheld according to the production. Defendant sent a preliminary *Vaughn* Index to counsel
19 for Plaintiff on October 3, 2023. On October 5, 2023, Plaintiff informed Defendant that in order to review
20 the exemptions, it needed a clearer copy of Defendant’s *Vaughn* Index. As of today, Defendant is working
21 to provide Plaintiff with a second version of the *Vaughn* Index and anticipates being able to provide it by
22 November 2, 2023. As such, this continuance will provide Defendant with sufficient time to obtain a
23 second version of the Index. This continuance will also provide Plaintiff with the additional time
24 necessary to review the Index and determine whether there are any disputes remaining. If so, this
25 continuance will provide the parties with the necessary time to discuss any remaining issues without the
26 need for judicial intervention.

27 WHEREAS, the requested continuance is not expected to have any adverse impact on the schedule
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1 for the case and serves the judicial economy by allowing the parties additional time to attempt to resolve
2 this matter without the need for further judicial intervention,

3 AS SUCH, it is hereby stipulated by and between the parties, through the undersigned counsel that
4 the initial case management conference, along with the associated deadlines is continued from October
5 26, 2023 to November 30, 2023 at 10:00 a.m.

6 DATED: October 19, 2023

ISMAIL J. RAMSEY
United States Attorney

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8 /s/ Valerie E. Smith*
VALERIE E. SMITH
Assistant United States Attorney

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10 Attorneys for the Federal Defendant

11 /s/ Daniel C. Snyder
DANIEL C. SNYDER

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13 /s/ Lily Anne Rivo
LILY ANNE RIVO
GREENFIRE LAW, PC

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15 Attorneys for Plaintiff

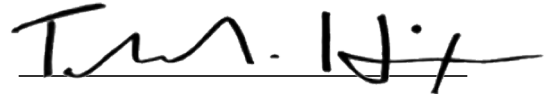
16 **In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury*
17 *that all signatories have concurred in the filing of this document.*
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~~PROPOSED~~ ORDER

Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the case management conference currently scheduled for October 26, 2023 at 10:00 a.m. is continued to 11/30/2023 A case management statement shall be filed seven days before the case management at 10:00 AM. conference.

IT IS SO ORDERED.

Date: October 20, 2023



THE HON. THOMAS S. HIXSON
UNITED STATES MAGISTRATE JUDGE